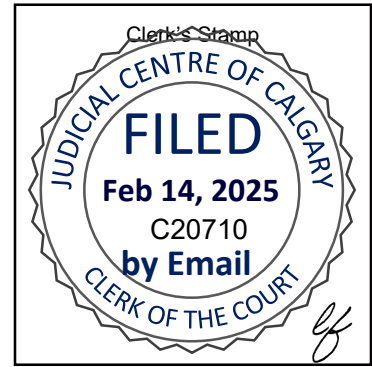


Applications Judge Chambers (AJ1) – Physical Courtroom 903

COURT FILE NUMBER 2401 11397
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
APPLICANT DALE ADAMS AUTOMOTIVE LTD., ABC CORPORATION and JOHN DOE
RESPONDENT MICHAEL TAYLOR
DOCUMENT **APPLICATION**
ORDER PREPARED BY **Hauber & Rees Lawyers**
Suite 300, 4838 Richard Road SW
Calgary, AB T3E 6L1
Attention: Olivia Hauber

Phone: (403) 356-2863
Email: olivia@reeslaw.ca
File No.: 2500134/OKH



NOTICE TO RESPONDENT: MICHAEL TAYLOR

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Date: March 3, 2025
Time: 10:00 am
Where: Calgary Court Centre – 601 5th Street SW, Calgary AB
Before Whom: Presiding Applications Judge in Chambers

Go to the end of this document to see what else you can do and when you must do it.

Remedy claimed or sought:

1. The Applicant/Defendant, Dale Adams Automotive Ltd., seeks the following relief as against the Respondent/Plaintiff, Michael Taylor:
 - a. An Order for penalty in costs pursuant to Rules 5.12 (1) of the *Alberta Rules of Court*, Alta. Reg. 124/2010
 - b. An Order directing the Plaintiff, Michael Taylor, to serve his Affidavit of Records on the Defendant by way of their counsel by a reasonable deadline set by the Court;
 - c. If the Plaintiff fails to serve his Affidavit of Records by the deadline determined by the Court, an Order for his claim to be dismissed;
 - d. Such further relief or directions as this Honourable Court may deem appropriate; and
 - e. Costs of this application.

Grounds for making this application:

2. The Plaintiff was served with the Defendant's Statement of Defence on September 5, 2024;
3. The Plaintiff's deadline for service of his Affidavit of Records on the Defendant was December 5, 2024;
4. To date, the Defendant, nor his counsel has received service of an Affidavit of Records from the Plaintiff..

Material or evidence to be relied on:

5. The Affidavit of Kennedy Sherring, sworn February 6, 2025; and
6. The pleading files in the within Action;
7. The proposed Order compelling Mr. Taylor to serve his Affidavit of Records and award costs to the Defendant; and
8. Such further and other materials as counsel may advise and this Honourable Court may permit.

Applicable rules:

9. Alberta Rules of Court 5.5(1), 5.5(2), 5.12

Applicable Acts and Regulations:

10. None.

Any irregularity complained of or objection relied on:

11. None.

How the application is proposed to be heard or considered:

12. Before the presiding Applications Judge in chambers with one or both parties present.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.